

DECLARATORY

~~Improvement~~ Res. No. 1228-1968

For the Vacation of the alley between
Gay Street and Smith Street from the south
right of way line of the Penn Central
Railroad to the north property line of
Buchanan Street, except the Wallace Street,
Thayer Street and Horace Street intersections.

Resolution Adopted: Nov. 26, 1968

Confirmed: Nov. 26, 1968

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Jan. 23, 1969

DECLARATORY RESOLUTION NO. 1228-1968

For the Vacation of the alley between Gay Street and Smith Street from the south right of way line of the Penn Central Railroad to the north property line of Buchanan Street, except the Wallace Street, Thayer Street and Horace Street intersections.

PLANS ORDERED:

ADOPTED: Nov. 26, 1968

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

HEARING ON CONFIRMATION:

CONFIRMED: Nov. 26, 1968

ASSESSMENT ROLL ORDERED: Nov. 26, 1968

ASSESSMENT ROLL APPROVED: Dec. 26, 1968

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL: Thurs., Jan. 23, 1969, 3:30 p. m.

NOTICE SERVED: Jan. 10, 1969

ASSESSMENT ROLL CONFIRMED: Jan. 23, 1969

For the Vacation — Opening — Condemnation of right of way for utility purposes of the alley between Gay Street and Smith Street from the south right of way line of the Penn Central Railroad to the north property line of Buchanan Street, except the Wallace Street, Thayer Street and Horace Street intersections.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Gay Street and Smith Street from the south right of way line of the Penn Central Railroad to the north property line of Buchanan Street, except the Wallace Street, Thayer Street and Horace Street intersections.

All as shown by a plan of such proposed Vacation — Opening — Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation — Opening — Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation — Opening — Condemnation of right of way for utility purposes is described as follows: Lots 1 to 20 inclusive and Lots 33 to 53 inclusive, all in Bass & Hanna's Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 26 DAY OF Nov. 1968
Attest:
Secretary Board of Public Works.

Fred R. Guerard
Robert W. Dalmann
John
Board of Public Works.

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

52-296-6

B.O. 172-68

Date Nov. 26, 1968

City Engineer

Declaratory - 1228-1968 Vacation of alley between Gay St. & Smith St.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach Reso. & P. O. List

NOTED

Date

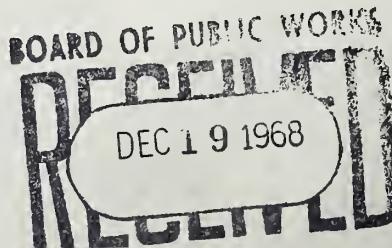
December 19, 1968

Assessment Roll of Benefits and Damages completed and attached.

Walter H. Meitz
Walter H. Meitz

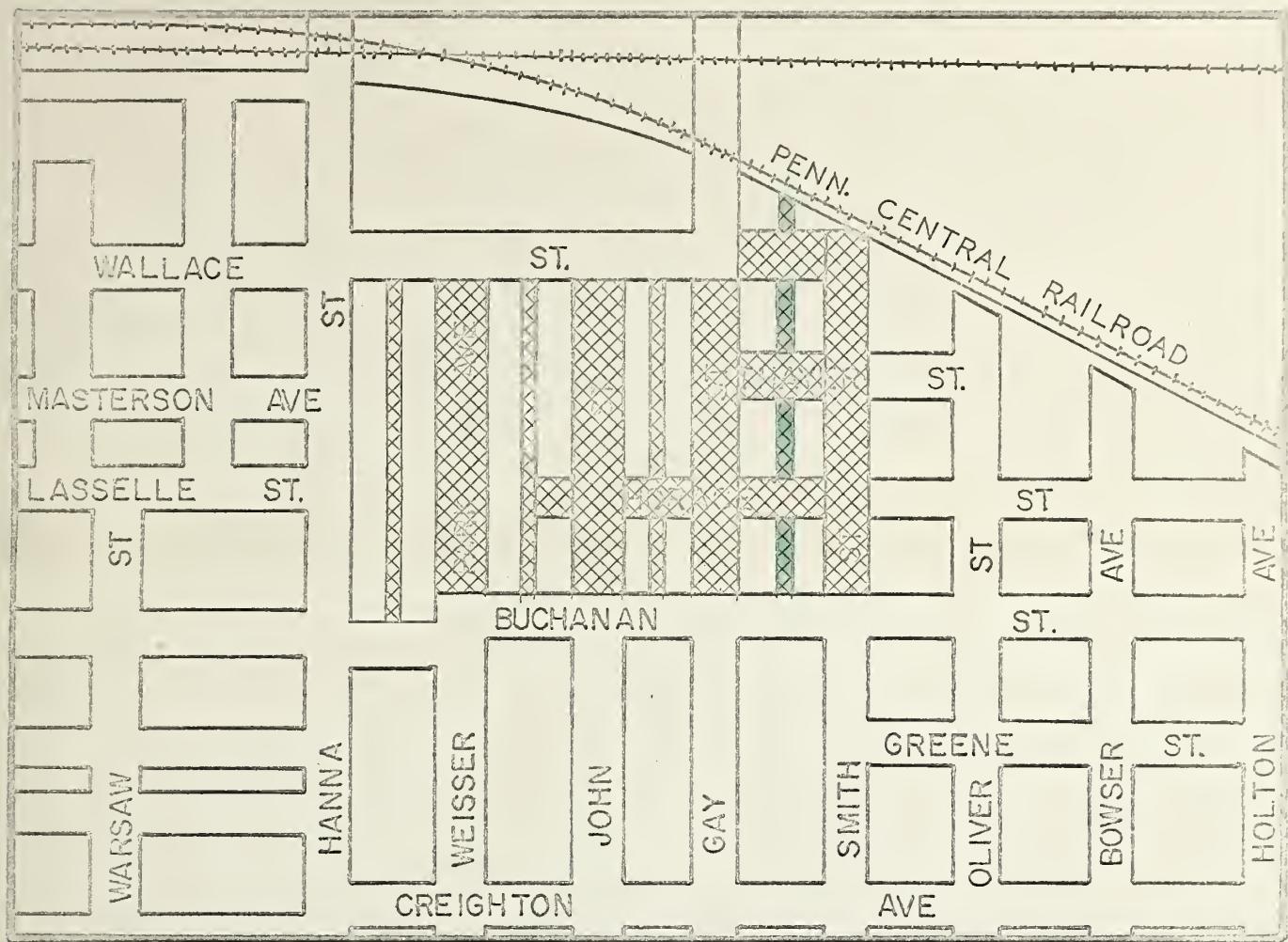
Walter H. Meitz
City Engineer

DEB:1c
attaches.



Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY



STREETS & ALLEYS TO BE VACATED

1228

W A I V E R

The undersigned City of Fort Wayne, Department of Redevelopment, the owner of all property which may be injuriously or beneficially affected by the proposed vacation of an alley described as follows, to wit:

The alley between Gay Street and Smith Street from the south right of way line of the Penn Central Railroad to the north property line of Buchanan Street, except the Wallace Street, Thayer Street and Horace Street intersections

which proposed vacation is set out in Declaratory Resolution No. 1228-1968 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 12th day of November, 1968.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By 
Hassel Wolfe, Executive Director

1228

Declaratory

Improvement Resolution No. 1228-1968 For THE VACATION OF THE ALLEY BETWEEN GAY STREET AND

SMITH STREET FROM THE SOUTH RIGHT OF WAY LINE OF THE PENN CENTRAL RAILROAD TO THE NORTH PROPERTY LINE OF BUCHANAN STREET, EXCEPT THE WALLACE STREET, THAYER STREET AND HORACE STREET

INTERSECTION

OWNER'S NAME	ADDRESS	NUMBER OF		DESCRIPTION
		LOT	BLOCK	
1 CITY OF FORT WAYNE	425 So. Calhoun St 11	33 TO 53 1 TO 20		BASS & HINNA ADD.
2				" " "
3				" " "
4				" " "
5				" " "
6				" " "
7				" " "
8				" " "
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65				" " "
TOTAL				

1228